

REMARKS

Applicants reply to the Office Action dated October 11, 2007 within the shortened three-month statutory period for reply. Claims 2-10, 15, 16, 19, 21-25, 38, 53-58, and 61-64 were pending in the application and the Examiner rejects claims 2-10, 15, 16, 19, 21-25, 38, 53-58, and 61-64. Support for the amendments may be found in the originally-filed specification, claims, and figures. No new matter has been introduced by these amendments. Reconsideration of this application is respectfully requested.

Applicants thank the Examiner for participating in an Interview with Applicants' counsel on January 8, 2007. During the Interview, the Examiner generally agreed that the integration of the transaction mechanism with a financial account issuer was unique over the cited references. To clarify this integration, Applicants amend the claims to more accurately refer to a "financial account issuer" rather than a "transaction mechanism." As explained by Applicants' counsel, such integration, as disclosed by the presently claimed invention, is a significant improvement over other fraud prevention systems because it allows users to register for participation with the transaction mechanism while applying for a financial transaction account. Such integration further enables the financial account issuer, who in many cases assumes some level of risk in facilitating a financial transaction, to more tightly control the transfer of funds from one account to another.

Applicants respectfully request the Examiner to consider the significant claim amendments in light of the remarks herein, and **if the Examiner believes additional amendments or explanation are needed, Applicants respectfully request that the Examiner contact Applicants' counsel.**

Claims Rejected under 35 U.S.C. § 103

The Examiner rejects claims 2-10, 15, 16, 19, 21-25, 38, 53-58, and 61-64 under 35 U.S.C. § 103(a) as being unpatentable over Findley, U.S. Patent No. 6,108,642 in view of Walker et al, U.S. Patent No. 6,108,639 ("Walker 1"). Applicants respectfully traverse this rejection.

Findley generally discloses a system for selectively blocking purchase requests based on information obtained from a previous purchase request. Specifically, the Findley system includes a data input subsystem for entry of purchase request information. Purchase request information includes, for example, the origin of the request, a credit card number, purchase amount, and the like. The Findley system also stores parameters that are used to determine whether a purchase request may be fraudulent. The Findley system compares the current purchase request information to one or more previous purchase requests, and automatically blocks the current purchase request when

results of the comparison meet any of the defined parameters. Significantly, the Findley system is independent of a financial account provider and has limited interaction with a financial account provider, other than simply sending credit card information to a financial account provider for authorization when it is determined that a purchase request is not fraudulent.

The Walker 1 system is directed primarily toward the trading of collectables. As disclosed by Walker 1, the trading of collectables over online commerce is unique in that the precise condition of the collectable is unknown to the buyer. Therefore, in order to apply the binding purchase offer system of Walker 2 (see below), Walker 1 discloses a third-party dealer/authenticator who receives a collectable from the seller when a binding purchase offer has been accepted. The dealer/authenticator determines whether the collectable meets the conditional criteria defined within the binding purchase offer. If the dealer/authenticator confirms the collectable's condition, then the binding purchase is invoked causing the credit card of the buyer to be debited, an account of the seller to be credited, and the collectable to be shipped to the purchaser.

Each of Findley and Walker 1 disclose systems for protecting the interests of buyers, sellers, or both, albeit in very different ways. The Findley system provides a third-party fraud detection system that intercepts a purchase request from a merchant system, compares it to previous purchase requests to see if similar requests have been made, and uses parameters to determine the probability of a fraudulent transaction. Walker 1 discloses a third-party authenticator who inspects a collectable prior to authorizing a transfer of funds from the buyer's financial account to the seller's financial account. Thus, **both Findley and Walker 1 disclose third-parties that simply interact with, but are completely independent of, a financial account provider. Neither Findley, nor Walker 1, are concerned with a financial account provider that provides a financial account to an applicant, while at the same time, and through the same application process, enrolls the applicant into a transaction management program that ensures a secure exchange of funds between a buyer and seller.** As such, neither Findley, Walker 1, nor any combination thereof, disclose or contemplate at least:

- receiving, at a financial account issuer, a first application for a first financial account from a first party, wherein said first application comprises fields which include first financial account information relating to said first financial account and first transaction management information relating to facilitating transaction management between said first party and a second party
- analyzing, at said financial account issuer, said first financial account information to determine when said first party is eligible for said first financial account
- facilitating, at said financial account issuer, creation of said first financial account for said first party when said first party is eligible for said first financial account, wherein said first

financial account includes a first financial account identifier for identifying said first financial account associated with said first party

- analyzing, at said financial account issuer, said first transaction management information to determine when said first party is eligible to participate in said transaction management
- facilitating, at said financial account issuer, a registration of said first party to participate in said transaction management of said financial account issuer when said first party is eligible to participate in said transaction management, wherein said registration includes a first party identifier for identifying said first party for said transaction management
- receiving, at a financial account issuer, a second application for a second financial account from said second party, wherein said second application comprises fields which include second financial account information relating to said second financial account and second transaction management information relating to facilitating transaction management between said first party and said second party
- analyzing, at said financial account issuer, said second financial account information to determine when said second party is eligible for said second financial account
- facilitating, at said financial account issuer, creation of said second financial account for said second party when said second party is eligible for said second financial account, wherein second financial account includes a second financial account identifier for identifying said second financial account associated with said second party
- analyzing, at said financial account issuer, said second transaction management information to determine when said second party is eligible to participate in said transaction management
- facilitating, at said financial account issuer, a registration of said second party to participate in said transaction management of said financial account issuer when said second party is eligible to participate in said transaction management, wherein said registration includes a second party identifier for identifying said second party for said transaction management
- receiving, at said financial account issuer, a request to debit said first financial account to effectuate a purchase transaction between said first party and said second party, wherein said request includes said first financial account identifier, said first party identifier, said second financial account identifier, and said second party identifier
- receiving, at said financial account issuer, transaction information relating to said purchase transaction between said first party and said second party, wherein said transaction information includes said first party identifier and a second party identifier
- comparing, at said financial account issuer, said transaction information with previous transaction information to determine whether said request to debit said first financial account is fraudulent
- determining, at said financial account issuer, whether said purchase transaction is acceptable based upon at least one of: said transaction information, said request to debit said first financial account, and said determination whether said request to debit said first financial account is fraudulent
- debiting, at said financial account issuer, funds from said first financial account in the amount of a sales price of said item when said request to debit said first financial account is not fraudulent
- disbursing, at said financial account issuer, said funds to said second financial account associated with said second party, wherein said funds are credited to said second financial account
- interfacing, at said financial account issuer, with a shipping agent associated with said financial account issuer, said shipping agent performing the steps of:
 - receiving an item from said second party; and,

- causing said item to be delivered to said first party after said funds are credited to said second financial account

as similarly recited by independent claims 6, 25, 38, and 57.

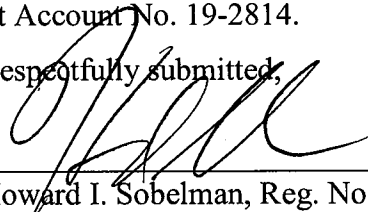
Claims 2-5, 7-10, 15-16, 21-24, 53-56, 58 and 61-64 variously depend from independent claims 6, 25, 38, and 57. As such, dependent claims 2-5, 7-10, 15-16, 21-24, 53-56, 58 and 61-64 are differentiated from the cited references for at least the reasons set forth above, as well as in view of their own respective features.

The Examiner rejects claims 2-5 and 7-10 under 35 U.S.C. § 103(a) as being unpatentable over Findley and Walker in further view of Walker et al., U.S. Patent No. 5,794,207 ("Walker 2"). Applicants respectfully traverse this rejection.

Dependent claims 2-5 and 7-10 variously depend from independent claim 6. As noted above, neither Findley nor Walker 1 teach or contemplate at least each listed feature of amended independent claim 6 and Walker 2 does not teach or suggest the missing features. Walker 2 discloses a system whereby an offer to buy is distributed to a number of suppliers for consideration. Specifically, the Walker 2 system enables a buyer to submit a binding purchase offer globally to potential sellers. However, Walker 2 does not teach or suggest at least the foregoing bulleted claim elements, as recited by independent claim 6. Thus, dependent claims 2-5 and 7-10 are differentiated from the cited references for at least the same reasons as above, as well as in view of their own respective features.

In view of the above remarks and amendments, Applicants respectfully submit that all pending claims properly set forth that which Applicants regard as their invention and are allowable over the cited references. Accordingly, Applicants respectfully request allowance of the pending claims. The Examiner is invited to telephone the undersigned at the Examiner's convenience, if that would help further prosecution of the subject application. Applicants authorize and respectfully request that any fees due be charged to Deposit Account No. 19-2814.

Respectfully submitted,



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